

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

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|--|----------|------------------------------------|
| <b>ROBERT RAYMOND WEISLER, III</b>   | <b>§</b> | <b>PLAINTIFF</b>                   |
| <b>v.</b>  | <b>§</b> | <b>Civil No. 1:09CV622 HSO-JMR</b> |
| <b>LOUISIANA COMMERCE &amp; TRADE<br/>ASSOCIATION</b>  | <b>§</b> | <b>INTERVENOR PLAINTIFF</b>        |
| <b>v.</b>  | <b>§</b> |                                    |
| <b>UNITED STATES OF AMERICA,<br/>W.G. YATES &amp; SONS CONSTRUCTION,<br/>INC., CLASS A PAINTING, LLC,<br/>WHITESELL-GREEN, INC., &amp;<br/>WHITESELL-GREEN INC./W.G. YATES<br/>&amp; SONS, A JOINT VENTURE</b> | <b>§</b> | <b>DEFENDANTS</b>                  |

**FINAL JUDGMENT**

This action came on for trial before the Court and a jury commencing on the 6<sup>th</sup> day of February, 2012, and concluding on the 13<sup>th</sup> day of February, 2012, Honorable Halil Suleyman Ozerden, United States District Judge, presiding, and the issues having been duly tried and the jury having heard all of the evidence and arguments of counsel and having received instructions of the Court, including a Verdict Form, retired to consider their verdict and returned upon their oaths, into open Court, the following unanimous verdict as to Defendants W.G. Yates and Sons Construction Company, Whitesell-Green, Inc., Yates/Whitesell-Green Inc., a Joint Venture, and Class A Painting, LLC, to wit:

**Question Number One:**

**A) Do you find by a preponderance of the evidence that Plaintiff's fall on October 28, 2008, was proximately caused by the negligence of Defendant Yates Joint Venture (W.G. Yates and Sons Construction Company and Whitesell-Green, Inc.)?**

Please answer yes or no: \_\_\_\_\_ "no" \_\_\_\_\_

**B)** Do you find by a preponderance of the evidence that Plaintiff's fall on October 28, 2008, was proximately caused by the negligence of Defendant Class A Painting, LLC?

Please answer yes or no: \_\_\_\_\_ "no" \_\_\_\_\_

Following the jury trial of this matter, the Court concluded a bench trial as to Plaintiff's claims against the United States of America. In accordance with its Order [303] entered on this date, and for the reasons more fully stated on the record, the Court further finds that judgment should be rendered in favor of Defendant United States of America pursuant to FED. R. CIV. P. 52(c).

**IT IS, THEREFORE, ORDERED AND ADJUDGED,** that judgment is hereby rendered in favor of W.G. Yates and Sons Construction Company, Whitesell-Green, Inc., Yates/Whitesell-Green Inc., a Joint Venture, Class A Painting, LLC, and the United States of America.

**SO ORDERED AND ADJUDGED,** this the 13<sup>th</sup> day of February, 2012.

*s/ Halil Suleyman Ozerdan*  
HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE